

REMARKS/ARGUMENTS

In the Official Action, claim 22 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 20-22 were rejected under 35 U.S.C. § 103(a) as being anticipated by MATSUMOTO et al. (U.S. Patent Application Publication No. 2003/0080958 A1).

Upon entry of the present amendment, each of independent claims 20-22 has been amended. Claims 1-19 were previously cancelled. Thus, claims 20-22 are currently pending for consideration by the Examiner.

In the Official Action, independent computer-readable storage medium claim 22 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. More specifically, the Examiner asserts that the claim is sufficiently broad to include transitory propagating signals *per se*, which are generally regarded by the USPTO as non-statutory subject matter. Accordingly, Applicants have amended the preamble of independent claim 22 to read “(a) non-transitory computer-readable storage medium...”, which is consistent with current USPTO policy. Accordingly, Applicants respectfully request that the rejection of claim 22 under 35 U.S.C. § 101 be withdrawn.

Independent claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over MATSUMOTO. With regard to independent claim 20, the Official Action asserts that MATSUMOTO discloses an image generating apparatus (1) that superimposes a plurality of layers for display, including a drawing application processor (11), a graphics library (12), a drawing device (13), a graphics memory (16), and a superimposing unit (17), primarily citing MATSUMOTO's Figure 1 and the corresponding description. The Official Action also asserts that the apparatus stores and displays the different layers in a specified order. The Official

Action acknowledges that MATSUMOTO fails to explicitly disclose changing the specified order. However, the Official Action asserts that since MATSUMOTO teaches that the display list can be arranged or reconstructed, it would have been obvious to change the specified display order of the plurality of layers.

Applicants respectfully traverse the Official Action's assertion that claims 20-22 are obvious in view of MATSUMOTO. Nevertheless, in order to expedite the prosecution of the present patent application to allowance, Applicants have amended each of independent claims 20, 21, and 22 to recite that the composite image is synthesized by superimposing and displaying at least one graphics image, at least one video image, and at least one still image in a specific order stored in an order storage. Applicants respectfully submit that the specific combination of features recited in each of amended independent claims 20, 21, and 22 would not have been obvious to one of ordinary skill in the art at the time of the invention, in view of MATSUMOTO, for at least several reasons.

For instance, amended independent claim 20 explicitly recites that the claimed "provider" provides: a plurality of graphics areas for storing graphics images, a plurality of video areas for storing video images, and a plurality of still areas for storing still images (emphasis added). Applicants submit that MATSUMOTO fails to disclose or render obvious the provision of three distinct areas for storing graphics images, video images, and still images, as explicitly recited in amended independent claim 20.

Additionally, amended independent claim 20 also explicitly recites the provision of: an order storage which stores a specific order of superimposing at least one of the graphics images that is stored the provided plurality of graphics areas, at least one of the video images that is stored in the plurality of the video areas, and at least one of the still images that is stored in the

plurality of the still areas (emphasis added). Applicants submit that MATSUMOTO also fails to disclose or render obvious an order storage that stores a specific order of superimposing a combination of graphics images, video images, and still images in the manner explicitly recited in amended independent claim 20.

Furthermore, amended independent claim 20 recites the provision of: *a display operable to superimpose and display the at least one of the graphics images that is stored in the plurality of graphics areas, the at least one of the video images that is stored in the plurality of video areas, and the at least one of the still images that is stored in the plurality of still areas, such that the at least one of the graphics images, the at least one of the video images, and the at least one of the still images are overwritten according to the specific order stored in the order storage to form the synthesized superimposed image* (emphasis added). Applicants submit that since MATSUMOTO fails to disclose or render obvious providing and storing a combination of graphics images, video images, and still images, MATSUMOTO certainly fails to disclose or render obvious the displaying of a combination of graphics images, video images, and still images that are overwritten according to the specific order discussed above.

Applicants wish to point out that amended independent claim 20 further explicitly recites that: *the at least one of the graphics images is stored in the plurality of graphics areas for storing the graphics images, the at least one of the video images is stored in the plurality of video areas for storing the video images, and the at least one of the still images is stored in the plurality of still areas for storing the still images, in accordance with the specific order stored in the order storage, and the specific order stored in the order storage can be changed* (emphasis added). Applicants submit that MATSUMOTO further fails to disclose or render obvious the

storing of graphics images, video images, and still images in accordance with a changeable specific order.

Thus, for at least the reasons provided above, Applicants respectfully submit that the specific combination of features explicitly recited in amended independent claim 20 would not have been obvious to one of ordinary skill in the art at the time of the invention. Additionally, Applicants submit that independent method claim 21 and independent storage medium claim 22 are also patentable for reasons similar to the reasons discussed above regarding amended independent claim 20, since claims 21 and 22 recite features similar to the features recited in claim 20.

Accordingly, Applicants respectfully request that the rejection of claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over MATSUMOTO be withdrawn, and that an indication of the allowability of claims 20-22 be provided in the next Official communication.

Applicants note that support for the present amendment to claims 20-22 is at least provided in Applicants' Figures 8-10 and the corresponding descriptions on specification pages 24-31.

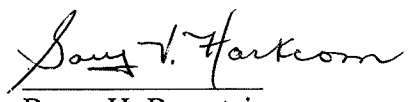
SUMMARY

From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present patent application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of allowance of claims 20-22 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Takakazu SHIOMI et al.


for Bruce H. Bernstein
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Gary V. Harkcom
Reg. No. 62,956